G. R. S. 58]

Previous references.

Ab 445-09-1054
" 464-08-1007

1910.

(Court)

File No. 164-10

Serial Nos. 1 to 3

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 3

Part B for January 1911

SUBJECT.

Irregular Surrender of Venkataramana Sastry accused of Criminal Breach of Trust

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Table of Contents

1. From the D. Magte Mysore No 400 & 11-1-1911
   Requests instructions as to the procedure to be adopted in regard to the trial of Venkataramana Sastry accused of Crl Breach of Trust, who has been illegally surrendered to the Mysore city Magte without a warrant.
2. To the D. Magte Mysore No J 2097 & 21-1-1911
   Invites his attention to the previous orders of Govt on the subject and observes that the trial of the case may be proceeded with.
3. ~~To~~ To the A Resident No P N 680 & 21-1-11
   Brings to the notice of the Hon'ble the Resident for necessary action, the above case of illegal surren & requests that, if the Resident deems fit, the case may

GPB—5,000—22-10-10

G.R.S. 11] 190-11

GENERAL AND REVENUE SECRETARIAT

(Courts)

NOTES.

Cts File No. 164-1

FILE HEADING.

Irregular Surrender of Venkatraman accused of Criminal breach of trust

From The District Magistrate of Mysore

No. 400 Dated 11.1.1911 Received 13.1.11.

Diary No. 1802 | Enclos. Five Spare Copies | Serial No. 1

BRIEF ABSTRACT OF LETTER.

Request instructions as to the procedure to be adopted in regard to the trial of Venkataraman Sastry, accused of having Committed the offence of Criminal breach of trust, who has been illegally Surrendered to the Mysore City magistrate without an extradition warrant.

NOTES AND ORDERS.

Subdy 11 The accused appears to be the same as proceeded upon Venkataraman Sastry of the Mysore Central Nazeratte who absconded in December 1908 after misappropriating certain decretal

NOTES—First sheet.

GPB—15,000—24-4-09

Serial No.

amounts aggregating to Rs 205-9

Flag S

(Please see Courts File No 214-09.)

2) The City Magistrate of Mysore issued a warrant on 22-8-1910 for the arrest and surrender of the said accused for answering a charge under Section 409 I.P. Code. The warrant was received in the Mysore Division Inspector's Office on the 24th idem. It appears to have been thereafter sent to the Deputy Commissioner of Police, Madras who has endorsed it for execution on the 6th January 1911 On the 8th idem, the Presidency Magistrate, Madras granted a remand for three days for producing the accused before the City Magistrate Mysore City, on the 10th of the same month. The remand sheet is addressed to Venkataguri Iyya, Lance Sergt No 185 of the Mysore City Police but the accused was actually escorted to Mysore with the aid of a British Police Constable who has also

GPB—50,000—12-8-10

Serial No.

submitted a report for having produced the accused before the City Magistrate.

Having regard to Govt. order No J/2683-91 - Cts 264-08 dt 9.3.1909, and other similar precedents, there seems to be no objection to the trial of the accused in mysore. The District Magistrate's attention may perhaps be invited to the above fact.

~~Further reports may be called for to show the grounds~~

The matter may perhaps also be brought to the notice of the Hon'ble the Resident for such action as he may take in the matter.

Subd for orders.

HCS
(122) 16-1-11
SW(G)
17/1/11 Ch.

Yes. Perhaps two drafts as usual

17/1/11

NOTE—Contn. sheet.

G. R. S. 12]
General and Revenue Secretariat.

Go File No. 164 of 1910-11

Serial No.

Two drafts submitted accordingly.

Secs
(122) 17-1-11
SW(11)

Alter the draft to the Resy. So as to be self contained. No enclosures are to be sent.

17/1/11. SB (11)

Submitted with a revised draft to the Residency.

Secs (122)
18-1-11.
SW(11)
18/1

The Chief Presidency Magistrate of Madras is a high functionary and the Error on his part must have been due to an oversight. It is therefore a question whether the matter need be brought to the notice of the Madras Govt. We have reported such cases where the originality was committed by the Magistrate in the 'Mofussil'. A draft to the Resy has been put up.

The draft to the Dist Magte may issue.

Secy. 18/1/11. SB

NOTE—Contn! sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

C. File No. 164 of 1910 – 11

Serial No.	
	The drafts may issue. CM 19/1/11
	Issued 20/1/11
2	To the District Magistrate of Mysore N° J 2097 dt 21.1.1911. Invites his attention to the previous orders of Govt on the subject and observes that the trial of the case may be proceeded with.
3	To the First Assistant Resident N° 680 dt 21.1.1911. Brings to the notice of the Hon'ble the Resident for necessary action, the above case of irregular surrender and requests that, if the Resident sees no objection, the case may be brought to the notice of the Madras Govt.

Rec 25/1/11

NOTE—Contn. sheet.

GPB—50,000—12-8-10

ಪತ್ರ. 1

No. 400
En. File

Office of the District Magistrate
Mysore District
Dated Mysore 11th Jany 1911

To

C. S. Balasundaram Iyer Esq., B. A.
Secretary to the Government of Mysore.
General and Revenue Departments.

Sir,

In submitting herewith the letter of the City First Class Magistrate of Mysore re the arrest of a Mysore Subject at Madras and his production before the City Magistrate under a remand obtained from the Presidency Magistrate of Madras, I have the honour to state that the usual procedure has been violated in the case. Since the man accused of the offence has already been brought down to Mysore apparently with the approval of the British Magistracy, I think there seems to be no necessity for a formal application being made to the Hon'ble the British Resident in Mysore for an extradition warrant being issued for the surrender of the accused and I may be instructed as to whether the view as above taken is correct.

I have however requested the City Magistrate to complete the preliminary enquiry in the meanwhile should the formality be required to be observed later on.

I have the honour to be,
Sir,
Your most obedient Servant,

District Magistrate
Mysore District.

I/38/MC, J 1802

From

M. Kantaraj Urs Esq B.A
District Magistrate of Mysore

To

C.S Balasundaram Esq B.A.
Secy to the Govt of Mysore
Gen & Rev. Depts.

Dated 11th January 1911

No. 400.

Gen. File

C/o File N° 164-10
& N° 1.

Soliciting instructions re the necessity for a formal applicn to the Hon the Resident re the grant of a warrant for the surrender of a Mysore subject already brought down to Mysore from Madras.

20/4u

G.R.S. 20

2 Enclosures

Cfs. File No. 164-10

Serial No. 2.

Diary No. of letter replied to

1893.

No. J 209 & Encls 4.

General and Revenue Secretariat

(Cb)

, *the* 19 .

To

The District Magistrate

of Mysore

Date of issue 21-1-11

Signed by Sir Seshagiriyamma Aiya

Sir,

Adverting to your letter N° 400 dated the 11th January 1911, requesting instructions as to the procedure to be followed regarding the trial of Venkataramana Sastry, accused under Section 409 I.P. Code, who has

over.

SUBJECT.

been surrendered to the City Magistrate without the Cover of a warrant under the Indian Extradition Act, I am directed to invite your attention to para (2) of Govt order No 2583-91 - Ct 764-08-2 dt 9.3.1909, and to observe that ~~no such a~~ the trial of the case may be proceeded with. ~~Similar Case has been disposed of~~. The enclosures to your letter under acknowledgement are herewith returned. I have &c

For Secy to Govt

D&O
HCS
(122) 17-4-11

List of enclosures,

Copied by

Examined by

GPB—20,000—12-8-10

5-74 5

G.R.S. 26]

Cts File No. 64-

Serial No. 3

Diary No. of letter replied to

Bdl. No. 680

General and Revenue Secretariat

( )

, the 19 .

To

The First Assistant to

the Resident

Sir,

Date of issue 21-1-1924

Signed by

Mr Gs Balasundaramiyer

I am directed to

bring to the notice of the

Hon'ble the Resident, a

Case of ~~the~~ irregular

Surrender of an accused

person to the Durbar by

the Presidency Magistrate

Madras. The facts of

the Case are that one

Venkataramana Sastry

over.

SUBJECT.

a process Server of the
Mysore Central Nazarath
Committed the offence
of Criminal breach
of trust in Mysore and
in respect of certain entrusted to him
decretal amounts and
absconded in December
1908. ~~and~~
~~issued~~ The City Magistrate
of Mysore thereupon issued
a warrant for the
arrest and production
of the accused before
him for answering ~~the~~ a
Charge under Section
409 I.P. Code.
Information having
been received of the
accused's presence
in Madras, Sergeant
Venkatagiri Iyah of
the Mysore City Police went
there and ~~had~~ the accused
was by the Madras City Police
arrested and placed him

List of enclosures,

Copied by

Examined by

GPB—20,000—12-8-10

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

before the Presidency Magistrate of that place on the 6th Jan 11. The said Magistrate instead of ~~detaining~~ remanding the prisoner, pending the receipt of a warrant under the Extradition Act, ordered the production before the City Magistrate of A a result of that order the accused was produced before the City Magte Myore by Police Constable Veerasami, N° 348 of the Madras Police.

directing ~~ordering~~ the detention of

In pursuance

I am to request that this ~~irregular procedure~~ action ~~on the part of the~~ British ~~magistrate~~ may, if the Honble the Resident deems fit, be brought to the notice of the Madras Govt. ~~in order that~~ ~~instructions may be issued to~~ the accused person ~~may~~

circumstances.

~~Chief Pres^y Magte, Madras~~

for such action as may be necessary. Since

Such cases being provided

The presence of the accused in Court having rendered an application for a Conditional unnecessary now the District Magte of Chittagong has been directed to proceed with the trial of the case.

I have &c

Sd/-

for Secy to Govt.

does not seem to be necessary

& been produced before the Court in person the trial will be proceeded with in due course

SN/

Sd/-

H.C.S.

(122) 18-1-11